

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

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IN RE LEHMAN BROTHERS SECURITIES AND :  
ERISA LITIGATION :  
: :  
This Document Applies To: : Civil Action 09 MD 2017 (LAK)  
*In re Lehman Brothers ERISA Litigation,* :  
08 Civ. 5598 (LAK) :  
: :  
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**NOTICE OF MOTION**

PLEASE TAKE NOTICE that, upon the annexed Declaration of Jonathan K. Youngwood, sworn to on November 23, 2010, the exhibits attached thereto, and the accompanying Memorandum of Law, Defendants Amitabh Arora, Mary Pat Archer, Michael Branca, Evelyne Estey, Adam Feinstein, David Romhilt and Wendy M. Uvino (collectively the “Benefit Committee Defendants”), by and through their undersigned attorneys, will move this Court before the Honorable Lewis Kaplan, at the United States Courthouse, 500 Pearl Street, Courtroom 12D, New York, New York 10007, at a date and time to be determined by the Court, for an order, pursuant to Rules 8, 9(b) and/or 12(b)(6) of the Federal Rules of Civil Procedure dismissing the Plaintiffs’ Second Consolidated Amended Complaint in its entirety and with prejudice as to the Benefit Committee Defendants, and for such other and further relief as this Court may deem just and proper.

PLEASE TAKE FURTHER NOTICE that, pursuant to the stipulation of the parties and order of the Court, opposition papers, if any, shall be served and filed on or before December 23, 2010, and reply papers, if any, shall be served and filed on or before January 17, 2011.

Dated: November 23, 2010  
New York, New York

Respectfully submitted,

**SIMPSON THACHER & BARTLETT LLP**

By: /s/ Jonathan K. Youngwood

Jonathan K. Youngwood  
Michael J. Chepiga  
Janet A. Gochman  
425 Lexington Avenue  
New York, New York 10017-3954  
Telephone: (212) 455-2000  
Facsimile: (212) 455-2502  
jyoungwood@stblaw.com  
mchepiga@stblaw.com  
jgochman@stblaw.com

*Attorneys for Defendants Wendy M. Uvino,  
Amitabh Arora, Mary Pat Archer, Michael  
Branca, Evelyne Estey, Adam Feinstein, and  
David Romhilt*